IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 417 OF 2007

IN

EXECUTION APPLICATION NO. 127 OF 2006

IN

SUMMERY SUIT NO. 4082 OF 2003.

Ramnik Pasu Gala ...Plaintiff

V/s.

Patel Corporation & Ors. ...Defendants

And

Prakash Dattatrya Wagh ...Applicant

Mr.H.V.Gala a/w. M.S.Rane for the plaintiff
Mr.V.A.Almedia for applicant. for the defendant

CORAM : S.J.VAZIFDAR J.

DATE : 2ND AUGUST,2007.

P.C. :-

1. The Chamber Summons is liable to be dismissed on the ground that it is the applicants father who owns the premises which have been attached and not applicant himself. It would be necessary therefore for the applicants father to adopt proceedings. The applicant does not have any cause of action.

2. It is, however, clarified that this Chamber Summons is not dismissed on merits. However, no further steps in execution shall be taken for a period

of four weeks from today.